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|--|---|
| <b><u>FROM:</u></b> Charles B. Cappellari<br>Gen-Probe Incorporated<br>10210 Genetic Center Drive<br>San Diego, California 92121<br>Phone No. (858) 410-8927<br>Facsimile No. (858) 410-8928 | <b><u>TO:</u></b> Examiner: Lacourciere, K.<br>Group 1635<br><br><b><u>U.S. Patent &amp; Trademark Office</u></b><br><br>Facsimile No. (703) 746-5206 |
|--|---|

Number of pages (including this cover page): 42

|                                   |   |                               |
|-----------------------------------|---|-------------------------------|
| In re Patent Application of:      | ) | Group Art Unit: 1635          |
|                                   | ) |                               |
| BECKER <i>et al.</i>              | ) | Examiner: Lacourciere, K.     |
|                                   | ) |                               |
| Serial No. 09/523,237             | ) | Atty. Docket No. GP068-03.CN1 |
|                                   | ) |                               |
| Filed: March 10, 2000             | ) | Confirmation No. 5771         |
|                                   | ) |                               |
| Title: KITS FOR AMPLIFYING TARGET | ) | Date: September 3, 2003       |
| NUCLEIC ACID SEQUENCES USING      | ) |                               |
| MODIFIED OLIGONUCLEOTIDES         | ) |                               |

Transmitted herewith are the following:

- 1) Fee Transmittal for FY 2003 in duplicate (2 pgs.).
- 2) Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c) (2 pgs.);
- 3) Form PTO/SB/08 in duplicate (2 pgs.); and
- 4) Reference (35 pgs.).

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-746-5206 on the date indicated below to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22303-1450.

Date: September 3, 2003

By:   
Charles B. Cappellari, Registration No. 40,937

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

## Complete if Known

Application Number 09/523,237  
 Filing Date March 10, 2000  
 First Named Inventor Becker, M.  
 Examiner Name Lacourciere, K.  
 Art Unit 1635  
 Attorney Docket No. GP068-03.CN1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
 Account  
 Number  
 Deposit  
 Account  
 Name

07-0835

Gen-Probe Incorporated

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) required under 37 CFR 1.16 and 1.17 during the entire pendency of this application to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |          |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |  | Extra Claims |   | Fee from below |  | Fee Paid |   |
|--------------------|--|--------------|---|----------------|--|----------|---|
|                    |  |              |   |                |  |          |   |
| Independent        |  | 20**         | = | X              |  |          | 0 |
| Multiple Dependent |  | 3**          | = | X              |  |          | 0 |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                          |          |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                      |          |
| 1204         | 84       | 2204         | 42       | ** Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

0

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity - Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 410      | 2252     | 205      | Extension for reply within second month                                    |          |
| 1253     | 930      | 2253     | 465      | Extension for reply within third month                                     |          |
| 1254     | 1,450    | 2254     | 725      | Extension for reply within fourth month                                    |          |
| 1255     | 1,970    | 2255     | 985      | Extension for reply within fifth month                                     |          |
| 1401     | 320      | 2401     | 160      | Notice of Appeal   |          |
| 1402     | 320      | 2402     | 160      | Filing a brief in support of an appeal                                     |          |
| 1403     | 280      | 2403     | 140      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,300    | 2453     | 650      | Petition to revive - unintentional   |          |
| 1501     | 1,300    | 2501     | 650      | Utility issue fee (or reissue)   |          |
| 1502     | 470      | 2502     | 235      | Design issue fee   |          |
| 1503     | 630      | 2503     | 315      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  | 180      |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 750      | 2809     | 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 750      | 2810     | 375      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 750      | 2801     | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

180

## SUBMITTED BY

Name (Print/Type)

Charles B. Cappellari

Registration No.

40,937

(Attorney/Agent)

(Complete if applicable)

Telephone 858-410-8927

Signature

Date

September 3, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.